

Federal Communications Commission

DA 01-2476

Before the
Federal Communications Commission
Washington, D.C. 20554

2001 OCT -5 AM 11 38

In the Matter of

Amendment of Section 73.606(b),
Table of Allotments,
Television Broadcast Stations.
(Destin, Florida)

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MM Docket No. 01-171
RM-10158

REPORT AND ORDER
(Proceeding Terminated)

Adopted: October 26, 2001

Released: October 29, 2001

By the Chief, Video Services Division:

1 At the request of Kaleidoscope Partners ("Kaleidoscope"), six mutually-exclusive applicants for vacant NTSC channel 64, Destin, Florida,¹ the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 14808 (2001), proposing the substitution of channel 48 for channel 64.² Kaleidoscope filed comments supporting the proposed channel substitution at Destin. No other comments were filed.

2 We believe the public interest would be served by substituting channel 48 for channel 64 since the adoption of this channel substitution would be consistent with the Commission's Public Notice directing applicants of new NTSC stations to modify their requests to move from Channel 60 through 69.³ A staff engineering analysis indicates that channel 48 can be allotted to Destin with a zero offset in compliance with the minimum distance separation requirements of Sections 73.610 and 73.698 of the Commission Rules. The coordinates for channel 48 at Destin are North Latitude 30-30-52 and West Longitude 86-13-13.

3 Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective December 13, 2001, the TV Table of Allotments, Section 73.606(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

¹ The applicants include Kaleidoscope Partners, E. Terrill Weiss d/b/a West Florida TV Acquisition Company, Delta Media Corporation, Marri Broadcasting Corporation, Value Vision International, Inc., and Winstar Broadcasting Corporation.

² The Kaleidoscope Partners also filed a Joint Request for Approval for Settlement Agreement with the Commission on July 17, 2000. In accordance with the terms of that settlement, Beach TV Properties, Inc., licensee of LPTV station WDES-LP, Destin, Florida, agrees to surrender its license on channel 48 for cancellation or apply for an alternate channel.

³ See Public Notice, released on November 22, 1999, DA 99-2605.

CityChannel No.

Destin, Florida

48

4 IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, the applicants for channel 64 at Destin, Florida, shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 48 in lieu of DTV Channel 64

5 IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Services Division
Mass Media Bureau